

PROB 12C  
(7/93)

Report Date: October 4, 2013

**United States District Court**

for the

**Eastern District of Washington****Petition for Warrant or Summons for Offender Under Supervision**FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

OCT - 4 2013

SEAN F. McAVOY, CLERK  
DEPUTY  
YAKIMA, WASHINGTON

Name of Offender: Francisco Samaniego

Case Number: 0980 2:09CR02068-001

Address of Offender: [REDACTED] Sunnyside, Washington 98944

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, U.S. District Judge

Date of Original Sentence: March 3, 2010

Original Offense: Possession of a Firearm and Ammunition by a Prohibited Person,  
18 U.S.C. § 922(g)(1)Original Sentence: Prison 24 months;  
TSR - 36 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: James Goeke

Date Supervision Commenced: June 18, 2013

Defense Attorney: Rick Lee Hoffman

Date Supervision Expires: March 17, 2015

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**PETITIONING THE COURT****To issue a summons.**

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number      Nature of Noncompliance

- 1      **Standard Condition # 3:** The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

**Supporting Evidence:** Mr. Samaniego failed to report to the probation office as directed on September 5, and 13, 2013.

On September 5, 2013, prior to the defendant's discharge from Sundown M Ranch, he was directed to report to the probation office and submit his monthly report form. Mr. Samaniego agreed to come in as directed. On September 12, 2013, Mr. Samaniego was again directed to report to the probation office on September 13, 2013. Mr. Samaniego again failed to report as directed.

- 2      **Special Condition # 18:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

**Supporting Evidence:** Mr. Samaniego failed to submit to a random urinalysis test at Merit Resource Services (Merit) on September 25, 2013.

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- 3      **Special Condition # 17:** You shall undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare. You shall contribute to the cost of treatment according to your ability to pay. You shall allow full reciprocal disclosure between the supervising officer and treatment provider.

**Supporting Evidence:** Mr. Samaniego has failed to enroll in drug and alcohol aftercare treatment at Merit as directed as of October 4, 2013.

Mr. Samaniego was discharged from Sundown M Ranch on September 5, 2013, after having completed 20 days of inpatient drug and alcohol treatment. The defendant was directed by Sundown M Ranch to follow up with Merit for his aftercare treatment program. On September 12, 2013, Mr. Samaniego was confronted as to why he had not enrolled in aftercare treatment, to which he stated he had an appointment with Merit the following day to enroll in the program. It was later confirmed by Merit staff the defendant did not have such appointment. Mr. Samaniego was again directed to enroll in an aftercare treatment at Merit. On September 27, 2013, Mr. Samaniego was advised he would be given one last opportunity to comply with recommended treatment. The defendant agreed to go to Merit the following day. As of October 4, 2013, Mr. Samaniego has yet to enroll in aftercare treatment program.

- 4      **Mandatory Condition # 6:** If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

**Supporting Evidence:** Mr. Samaniego has failed to make any payments towards his special assessment as of October 4, 2013.

Mr. Samaniego is scheduled to make \$25 monthly payments towards his special assessment until paid in full. Mr. Samaniego has yet to make a payment towards his \$100 special assessment.

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The U.S. Probation Office respectfully recommends the Court issue a summons requiring the defendant to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: October 4, 2013

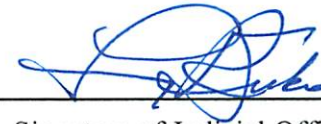
s/Jose Zepeda

Jose Zepeda  
U.S. Probation Officer

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#### THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

10/4/13

Date